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* ADMITTED IN NY & NJ

February 16, 2012

VIA ECF

The Honorable Robert M. Levy
United States Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Walters, et al., 11 CR 683 (NG)(RLM)
Lee Hymowitz, Defendant

Your Honor:

The defendant, Lee Hymowitz, requests a modification in the travel conditions associated with his bail which will permit him to engage in unlimited travel throughout the continental United States.

I have spoken with AUSA Christina Posa, and I am informed that the government consents to this request.

Background

On October 6, 2011, the defendant was arrested on a previously sealed Indictment. The defendant is charged in Counts 7, 8-11, 13 and 14 of this Indictment which allege conspiracy to defraud, wire fraud, money laundering conspiracy and money laundering in connection with the defendant's position as a real estate developer in programs sponsored by the New York City Department of Housing Preservation and Development.

On the occasion of his initial appearance before Your Honor, the Court ordered the defendant's release on a \$500,000 bond secured by a Confession of Judgment on the defendant's home. Travel conditions were limited to the States of New York, New Jersey, Connecticut and Massachusetts.

The defendant recently contacted Pretrial Services and advised them of his desire to accompany his daughter on a trip to Towson University in Towson, Maryland where she is being interviewed for a graduate program in audiology. The Pretrial Services Officer, Robert Long III, told Mr. Hymowitz that he would have no objection to a modification permitting unlimited travel throughout the continental United States in view of the fact that Mr. Hymowitz may wish to engage travel with his daughter to visit other universities with comparable programs in the near future.

I have subsequently been in contact with AUSA Christina Posa. At my request, she contacted Mr. Long. She informs me that the government will not object to this application,

Conclusion

Accordingly, for the reasons set forth herein, we would respectfully request that the defendant's bail conditions be modified to permit unlimited travel throughout the continental United States.

Most respectfully yours,

/S/

Maurice H. Sercarz

MHS:vmp

cc: The Honorable Nina Gershon (via first-class mail)

AUSA Christina Posa (via facsimile)

USPS Robert Long, III (via facsimile)